

Appl. No. 10/672,414
Docket No. 9369
Amdt. dated June 10, 2009
Reply to Office Action mailed on March 10, 2009
Customer No. 27752

REMARKS

Claim Status

Claim 1 has been amended to define the claimed invention with greater specificity by reciting that the article of manufacture comprises an exterior package that comprises a non-verbal cue that communicates the embossment of the fibrous structure product and the ingredient of the fibrous structure product. Support for this amendment is found in the Specification, especially at page 7, lines 3-5. Applicants respectfully submit that there exists a functional relationship between the package's non-verbal cue and the non-verbal cue of the fibrous structure product; namely, the embossment of the fibrous structure product.

Claims 1-3, 7-9, 19, and 20 are pending in the present application. No additional claims fee is believed to be due.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,221,211 in view of U.S. Patent No. 4,325,768, and optionally in view of U.S. Patent Publication No. 2004/0118530

Claims 1-3, 7-9, and 19-20 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent No. 6,221,211 to Hollenberg, et al. ("Hollenberg") in view of U.S. Patent No. 4,325,768 to Schulz ("Schulz"), and optionally in view of U.S. Patent Publication No. 2004/0118530 to Kressner, et al. ("Kressner"). The Examiner asserts that Hollenberg teaches a multi-ply tissue product containing indicia to indicate the presence of some unique ingredients within the tissue product. The Examiner asserts that Schulz teaches an embossed fibrous web material and that Kressner teaches a package that houses a fibrous web material.

Applicants respectfully submit that Hollenberg in view of Schulz and/or Kressner fails to teach each and every element of Claim 1, the independent claim, as amended, because Hollenberg in view of Schulz and/or Kressner fails to teach an exterior package that comprises a non-verbal cue that communicates the embossment of the fibrous

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structure product and the ingredient of the fibrous structure product. Accordingly, Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over Hollenberg in view of Schulz and/or Kressner. MPEP 2143.03. Further, Applicants submit that Claims 2-3, 7-9, and 19-20, which ultimately depend from Claim 1, as amended, are not rendered obvious over Hollenberg in view of Schulz and/or Kressner. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over the combination of U.S. Patent No. 6,221,211 and U.S. Patent No. 4,325,768 and optionally in view of U.S. Patent Publication No. 2004/0118530 and further in view of U.S. Patent No. 6,905,697

Claims 7-9 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hollenberg in view of Schulz and optionally in view of Kressner, all discussed above, and further in view of U.S. Patent No. 6,905,697 Baumöller, et al ("Baumöller"). The Examiner asserts that Baumöller teaches an embossed fibrous web comprising a lotion.

Applicants respectfully submit that Hollenberg in view of Schulz and/or Kressner and further in view of Baumöller fails to teach each and every element of Claim 1, the independent claim from which Claims 7-9 ultimately depend. Accordingly, Applicants submit that Claims 7-9 are not rendered obvious over Hollenberg in view of Schulz and/or Kressner and further in view of Baumöller. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,221,211 in view of U.S. Patent No. 6,905,697

Claims 1-3, 7-9, and 19-20 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hollenberg in view of Baumöller, both discussed above.

Applicants respectfully submit that Hollenberg in view of Baumöller fails to teach each and every element of Claim 1, the independent claim, as amended, because Hollenberg in view of Baumöller fails to teach an exterior package that comprises a non-verbal cue that communicates the embossment of the fibrous structure product and the ingredient of the fibrous structure product. Accordingly, Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over Hollenberg in view of Baumöller.

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MPEP 2143.03. Further, Applicants submit that Claims 2-3, 7-9, and 19-20, which ultimately depend from Claim 1, as amended, are not rendered obvious over Hollenberg in view of Baumöller. MPEP 2143.03.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

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